

**TOWN OF KIRKWOOD  
TOWN BOARD MEETING**

**March 7, 2023**

A regular meeting of the Kirkwood Town Board was held on March 7, 2023 at 6 PM at the Joseph A. Griffin Town Hall with Supervisor Lewis Grubham presiding.

Present: Supervisor Lewis Grubham  
Councilmember William Diffendorf, Jr.  
Councilmember Katie Legg  
Councilmember Sandy Wasson  
Councilmember Robert Weingartner

Also Present: Robert McKertich, Attorney  
Kelley Diffendorf, Town Clerk  
Marchie Diffendorf, Planning Board Chairman

Absent: John A. Finch Jr., Commissioner of Public Works

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF MINUTES:** February 7, 2023 Town Board Meeting and February 28, 2023 Public Hearing.

**PUBLIC PARTICIPATION:**

**Residential Solar Petition.**

John O'Neil of Kirkwood, presented a petition to the Town Board from Kirkwood residents that are against the solar farm project being considered at 21 Trim Street. The petition is filed in the Town Clerk's office.

**Water and Sewer Bill Inquiry – The Remedy.**

Catherine McAvoy, owner of The Remedy in Schneider's Plaza, addressed the Board about concerns over her water and sewer bill, suggesting her bill has increased and is almost comparable to the laundromat. It has been checked for leaks and other issues numerous times with nothing to report. Catherine McAvoy would like the Board to look into her situation to be sure her bill is being calculated correctly. Supervisor Grubham assured her he would be talking with the Water and Sewer department this week to discuss this matter and get back to her soon.

**COMMUNICATIONS:** None.

**COMMITTEE REPORTS:**

**Brookvale Cemetery.**

Councilmember Diffendorf reported that Gordon Carroll, currently in charge of the Brookvale Cemetery, is no longer interested in maintaining the cemetery and asked the Town to take it over. After talking to the New York State Division of Cemeteries, Councilmember Diffendorf noted that Brookvale is not incorporated and is considered a family cemetery. There are two options for the Town to decide but will not be forced to do either, the Town can take over the cemetery and maintain it, with the possibility of a few outstanding graves to be dug, or the Town can let it go and not do anything with it, basically abandoning it. Brookvale has not been receiving any maintenance funds from the Town since it's not incorporated. Councilmember Diffendorf suggested everyone think about this and it can be discussed further at the next work session.

**Dog Control Report.**

Councilmember Legg reported numbers from the February 2023 Dog Control Report. A copy is filed in the Town Clerk's office.

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**OLD BUSINESS:**

39:23  
Schedule PH to  
Rezzone Race  
Track Site to  
Industrial Dev

Councilmember Diffendorf moved to adopt resolution scheduling a Public Hearing to be held on April 4, 2023 at 6 PM for a Local Law rezoning 110 William Street (Tax Map #162.15-2-11), 925 NYS Route 11 (Tax Map #162.15-2-2) and a portion of 24 Sunset Drive (Tax Map #162.16-1-18) to the Industrial Development Zoning District.

Councilmember Wasson seconded.

Roll Call Vote:        Councilmember Diffendorf   - yes  
                         Councilmember Wasson       - yes  
                         Councilmember Legg           - yes  
                         Councilmember Weingartner - yes  
                         Supervisor Grubham          - yes

**MOTION CARRIED.**

40:23  
Declare Town  
Board Lead  
Agency  
SEQR  
Rezoning of  
Race Track Site

Councilmember Wasson moved to adopt resolution to declare Lead Agency under SEQR for a Local Law rezoning 110 William Street (Tax Map #162.15-2-11), 925 NYS Route 11 (Tax Map #162.15-2-2) and a portion of 24 Sunset Drive (Tax Map #162.16-1-18) to the Industrial Development Zoning District, in accordance with the attached resolution.

Councilmember Legg seconded.

**Discussion.** Only a portion of 24 Sunset Drive will be rezoned because it is split by Route 81

Roll Call Vote:        Councilmember Diffendorf   - yes  
                         Councilmember Wasson       - yes  
                         Councilmember Legg           - yes  
                         Councilmember Weingartner - yes  
                         Supervisor Grubham          - yes

**MOTION CARRIED.**

41:23  
Agreement  
Sentry Alarms  
Security/Fire  
Town Hall

Councilmember Legg moved to adopt resolution authorizing the Supervisor to enter into an agreement with Sentry Alarms to replace the existing Intrusion and Fire Panel for the Kirkwood Town Hall at a cost not to exceed \$4,995 and a \$45.75 per month monitoring fee, in accordance with the attached Retail Installation Agreement. Councilmember

Weingartner seconded.

Roll Call Vote:        Councilmember Diffendorf   - yes  
                         Councilmember Wasson       - yes  
                         Councilmember Legg           - yes  
                         Councilmember Weingartner - yes  
                         Supervisor Grubham          - yes

**MOTION CARRIED.**

42:23  
Agreement  
Sentry Alarms  
Security/Fire  
Water  
Treatment Plant

Councilmember Weingartner moved to adopt resolution authorizing the Supervisor to enter into an agreement with Sentry Alarms to replace the existing Intrusion and Fire Panel for the Water Treatment Plant at a cost not to exceed \$995 and a \$37.75 per month monitoring fee, in accordance with the attached Retail Installation Agreement. Councilmember

Diffendorf seconded.

Roll Call Vote:        Councilmember Diffendorf   - yes  
                         Councilmember Wasson       - yes  
                         Councilmember Legg           - yes  
                         Councilmember Weingartner - yes  
                         Supervisor Grubham          - yes

**MOTION CARRIED.**

43:23  
Agreement  
Sentry Alarms  
Security/Fire  
Code Bldg

Councilmember Diffendorf moved to adopt resolution authorizing the Supervisor to enter into an agreement with Sentry Alarms to replace the existing Intrusion and Fire Panel for the Building and Code Department at a cost not to exceed \$3,355 and a \$45.75 per month monitoring fee, in accordance with the attached Retail Installation Agreement.

Councilmember Wasson seconded.

Roll Call Vote:        Councilmember Diffendorf   - yes  
                         Councilmember Wasson       - yes  
                         Councilmember Legg           - yes  
                         Councilmember Weingartner - yes  
                         Supervisor Grubham          - yes

**MOTION CARRIED.**

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Councilmember Wasson moved to adopt resolution ratifying a resolution authorizing John Finch, Jr., to attend the W2O Winter Workshop on February 24, 2023 in Cortland, NY, at a cost not to exceed \$70. Councilmember Legg seconded.

44:23  
Education  
J.Finch  
W&S

Roll Call Vote:        Councilmember Diffendorf   - yes  
                         Councilmember Wasson       - yes  
                         Councilmember Legg           - yes  
                         Councilmember Weingartner - yes  
                         Supervisor Grubham           - yes

MOTION CARRIED.

**AUDIT AND PAYMENT OF CLAIMS:**

Councilmember Legg moved to adopt resolution authorizing the audit and payment of the following claims: General and Highway Funds, Special Districts (Fire, Light, Water and Sewer Districts), Professional Services, Capital Projects and Reserve Funds claims #23000180 through #23000307 in the total amount of \$304,729.38, which includes prepaid claims as authorized by resolution adopted January 3, 2023. Councilmember Weingartner seconded.

45:23  
Audit/Pay

Roll Call Vote:        Councilmember Diffendorf   - yes  
                         Councilmember Wasson       - yes  
                         Councilmember Legg           - yes  
                         Councilmember Weingartner - yes  
                         Supervisor Grubham           - yes

MOTION CARRIED.

**ADJOURNMENT:**

Councilmember Weingartner moved to adopt resolution to adjourn the meeting. Councilmember Diffendorf seconded. All voted in favor.

MOTION CARRIED.

Meeting adjourned at 6:21 PM

Respectfully submitted,

Kelley M. Diffendorf  
Town Clerk